

## INTERNATIONAL CITY MANAGERS' ASSOCIATION

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### ADMINISTRATION OF LEAVES OF ABSENCE

What are the kinds of leaves of absence for municipal employees? What are the procedures for granting and controlling leaves of absence?

City employees should be granted different kinds of leaves of absence, with or without pay, as a part of regular working conditions. Sick leave is used for paying an employee's salary when he is ill and for protecting his co-workers from exposure to contagious diseases. Vacation or annual leave is granted to provide a period of recreation and change from day-to-day routine. All cities grant from six to 12 or more holidays in accordance with national and local customs and traditions. Other types of leave are granted for jury duty, in-service training, limited military service, and other reasons.

The personnel program for a city should include uniform policies and regulations governing attendance and leave of all city employees, including those workers who are on hourly or daily rates and are, in effect, permanent employees. Vacation and sick leave especially are an intangible aid in recruitment and employee morale. For full effectiveness, however, attendance and leave provisions must be administered uniformly so that all employees are treated alike and leave privileges are not abused.

Kinds of Leaves. There are several kinds of leaves of absence which should be considered in developing policies and administrative regulations for city employees. The best known and most used are vacation and sick leave.

1. Vacation Leave. The great majority of cities over 10,000 population grant two weeks vacation with pay to white-collar employees. Most cities also grant vacation with pay to employees in the labor group. The vacation allowance granted by individual cities is shown in the 1950 Municipal Year Book.

2. Sick Leave. The 1947 Municipal Year Book reported that about one-half of the cities over 10,000 population have definite sick leave provisions for their employees. The average annual sick leave allowance with pay usually is two weeks for most employees and is cumulative up to 60 or 90 days. Sick leave often includes not only the employee's own illness but also exposure to contagious diseases, attendance upon a member of the immediate family who is seriously ill, and death in the immediate family. Sick leave may also include visits made during working hours to doctors, dentists, oculists, optometrists, and osteopathic physicians. When leave of this kind is taken it must be charged, of necessity, in small units of one or two hours.

3. Disability Leave. Ordinary sick leave rules apply generally to employees who are off work because of accidents or illness not incurred in line of duty. On-duty accidents or injuries are generally classified as disability or injury leaves, and special provisions apply. In many cities full pay or part pay for this kind of leave can be continued for a longer period of three to six months or even one year. In most states payment for this type of leave is related to a state workmen's compensation program where the city pays only the difference between the workmen's

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compensation payment and the employee's regular salary. In other cities (for example Wichita, Kansas, and Dayton, Ohio) the employee injured on the job receives full pay from the city for the first 30 or 60 days and thereafter receives benefits in accordance with the state workmen's compensation program.

4. Holidays. Holidays with pay are generally granted in all cities for administrative and clerical employees and often for laborers paid on an hourly rate. The number of holidays granted ranges from six to 12 or more in some of the New England and Southern states. Leave regulations usually provide that Monday shall be allowed as a day off when a holiday falls on Sunday.

5. Military Leave. Some cities allow up to 30 calendar days (with or without pay) as military leave of absence for employees who are members of the National Guard or an organized (active) reserve of any branch of the armed forces. The organized reserves of the military services generally require their members to spend two weeks a year at a training camp or in some form of special full-time duty.

6. Leave of Absence Without Pay. Another type of leave of absence is that which is granted without pay, generally for a period not exceeding one year. Almost always such leaves are requested for either of two purposes: leave of absence for the employee to receive professional or technical training which will improve his work upon return to service, or an extended leave of absence because of an employee's illness. Approval of such leaves should be a discretionary matter--depending upon the merits of each individual case and keeping in mind the employee's ultimate value to the city.

Protection of the employee's job status is desirable and often required if the city has a personnel program operating under state laws or a municipal civil service ordinance. An employee granted leave of absence may be reinstated to his job without his taking a civil service examination or going on a civil service eligible list. This is important from the employee's point of view because his job is protected during his absence.

An employee may be granted leave for a limited period to take a specialized position in another governmental agency or in a university or college. An unusual leave of absence of this kind would require approval by the chief administrator, as well as by the regular department head.

7. Special Leaves of Absence. There are several other types of leaves of absence which should be considered in establishing personnel policies and regulations even though requests for these leaves occur infrequently. Leave with pay for jury duty is sometimes allowed to city employees. Cities with this provision require employees to refund to the city all fees received for jury service. In-service training leave with pay is granted occasionally to municipal employees. Police officers, for example, may be sent at the city's expense for specialized training in another city. Such leaves are usually of limited duration--a few days to a few weeks.

Certain employees may be given leave to attend professional meetings and conferences which have a direct relationship to the employees' work with the city. These are special cases, however, and most cities choose to regard attendance at meetings and conferences as normal and regular duties which are not charged to any leave-of-absence account. In many cities, all election days are municipal holidays. Where this is not so, the city may provide time off for employees to vote. This of course would be a leave of very short duration, perhaps one or two hours; some cities find it simpler to grant the employees time off



without formal record-keeping for such leave. It may be desirable to charge to a formalized leave-of-absence account any time which is taken off as compensation for overtime work. Many cities grant compensatory time off to their employees instead of paying cash at straight time or time and one-half.

Installation of a Leave Program. Definite policies and rules governing all of the above types of leaves of absence, especially vacation and sick leave, are an important part of a personnel program. Policies and regulations, coupled with administrative supervision and employee understanding, provide uniformity of treatment and protect the city against loss of time occasioned by those few employees who habitually abuse leave privileges.

Attendance and leave provisions, like other employment conditions, should be service-wide in nature to provide uniform treatment for all employees. This applies even if the city has no civil service system. If the city has a merit system ordinance, the attendance and leave provisions should be included in the merit system rules adopted under the ordinance. If the merit system ordinance covers only part of the city service, then service-wide attendance and leave regulations should be issued by the chief administrator of the city after approval by the city council. In Pontiac, Michigan, for example, personnel rules cover the entire city service except for discipline and tenure where separate civil service provisions cover fire and police employees.

When formalized leave and attendance regulations are adopted for the first time, or when major changes are made, the personnel director or other city official responsible for attendance and leave provisions should obtain the comments and suggestions of department heads, supervisors, and rank-and-file employees. New regulations governing vacation, sick leave, and other conditions of attendance and time off should be announced well in advance so that employees will understand the new provisions, especially those governing retroactive or prior service credits for vacation and sick leave. It is helpful to incorporate the main points governing attendance and leave in an employee manual.

Responsibility for administering leave and attendance programs varies widely among cities. In some cities it is the responsibility of individual department heads; in other cities, the mayor or city manager; in still other cities, the finance department as a part of payroll record keeping; and in other cities, of a central personnel department. In all cities individual departments do at least part of the record keeping, particularly for employee attendance.

If the city has a central personnel agency it should be held responsible for formulating the rules which supplement legislative policy as expressed in a merit system ordinance, for settling conflicts arising out of interpretation of the rules, and for occasionally reviewing attendance and leave statistics as an aid in planning any necessary revisions. If a city does not have a central personnel agency this work can be done by an assistant to the chief administrator or by an employee in the department of finance or central payroll accounting office.

At any rate, within the basic framework of rules and regulations, departments should be held responsible for administering their own vacation, sick leave, and other leave programs, for maintaining attendance records, and preparing any necessary reports. It is not necessary for the personnel or finance department to give prior approval to requests for leaves of absence or to keep detailed records of leaves taken; the departments themselves, for example, are better able to schedule vacations for their employees and to decide the amount of vacation leave to be taken at any one time.

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Controlling Leaves of Absence. Two of the major problems in a leave and attendance program will be in granting vacation and sick leave. Vacation is a right of an employee to the extent that he has earned it as part of his compensation, together with holidays and other employment benefits. Vacation leave is a privilege, however, with regard to the time during which it is taken. In other words, the vacation schedule for employees in any department should be scheduled during off-seasons or staggered on a basis that will meet the department's needs for regular operation. A recreation department, for example, could not schedule vacations for most of its regular employees during the summer season. Personnel rules in many cities provide that vacation leave (usually two weeks per year) may be accumulated over a period of one and one-half or two years, but also provide that department heads must grant vacation leaves to employees when they have reached the maximum allowable accumulation. Before that limit is reached, however, the department head can schedule employee vacations to meet departmental requirements.

Controlling the abuse of sick leave privileges by some employees is another difficult problem. Requirement of a doctor's certificate for an absence of more than two or three days does not entirely eliminate these abuses because employees can take leaves for shorter periods of time than that for which a doctor's certificate is required. A few cities grant extra vacation leave to employees who do not take their sick leave. This inducement, however, is contrary to the major purpose of sick leave. A better control is to require sick employees to report by telephone before 10 o'clock in the morning of the same day. Then a visiting nurse can be sent to make a house call on each employee. This plan not only has the value of catching malingerers but also of being a positive form of health education--particularly if the visiting nurse shows sincerity in her efforts to assist employees who are ill. The visiting nurse, in other words, does more than merely detect abuses of sick leave privileges.

A second positive step is to review all sick leave records periodically to see which employees are taking a considerable amount of time off. Legitimate cases of chronic illness can be detected this way as well as employees who are taking advantage of the sick leave plan. In one city it was found the employees who took considerable sick leave often had low service ratings as well (see MIS Report No. 39, issued in June, 1947, for an extended discussion of sick leave administration).

Attendance and Leave Records. Departments must record attendance and leaves of absence to assure uniformity throughout the city service, although a record system is secondary to a firm and even policy of leave administration and an understanding and acceptance of the leave policies by city employees.

Dayton, Ohio, has prepared attendance record forms for use by departments in reporting employees off duty. Each department or division prepares a "Daily Absence Report" showing by name of employee those who are on sick leave, injury leave, vacation, military leave, special leave, or absent without official leave. These reports for each working day are submitted by noon of the following day to the city employee health service so that follow-ups can be made immediately when employees are reported absent because of illness. The back of the form has instructions for use by the department in filling it out and a "remarks" space opposite the space for entering the name of each employee reported absent.

In addition, the departments and divisions in Dayton are responsible for maintaining individual record cards for each employee to show all absence and overtime. The card for each employee shows his name, job title, and the organization unit where he works. The card has spaces for recording monthly entries



over a two-year period with special columns for sick leave, vacation leave, military leave, injury leave, special leave, disciplinary suspension, and absence without official leave. The columns for sick and vacation leave for each month have space for recording the amount of leave taken during the month, the basic amount credited during the month, and the balance remaining at the end of the month. For the other types of leave the columns simply show the number of days taken under each leave classification. In addition, the "Absence and Overtime Record" has space for recording the hours of overtime worked, the hours of compensatory time off taken, and the balance of overtime hours at the end of the month. A record card of this kind shows at a glance the amount of leave accumulated and taken by any employee.

The degree of control over attendance and tardiness will vary from city to city. Some cities use check-out sheets which employees must sign four times a day--in and out in the morning and in and out in the afternoon. Other cities use time clocks. Each city must decide for itself whether these controls are needed, but accurate records on the amount and kinds of leaves of absence taken by employees are essential, not only for personnel records but for accuracy and legality of payroll accounting.

Special Leave Problems. Special problems with regard to leaves of absence will arise occasionally which may not be covered in personnel rules or administrative regulations. The discussion which follows will deal with those cases which are most likely to arise.

In larger cities a problem of cost may arise when an employee is transferred from one department to another. Some cities provide that when a transfer of this kind is made the department from which the transfer is made reimburses the other department for all vacation leave which the employee has accumulated.

Should employees be paid for vacation leave upon separation from the city service? If the premise is accepted that the employee earned vacation leave in the same sense that he earned salary and other employment benefits, then he should be paid in cash for unused vacation leave upon separation from the service--at least when he is separated in good standing (resignation, lay-off, or retirement). It can even be argued that he should receive his vacation pay when he is discharged on the theory that if he earned his salary during this period of unsatisfactory service, he must have earned his vacation leave too.

Occasionally employees request the privilege of "anticipating" or borrowing against vacation or sick leave. For example, an employee who has been with the city only six months may wish to take the regular two weeks vacation granted to other employees with the expectation that he will take a shorter vacation the following year. It is a question of city policy as to whether or not employees should be allowed to anticipate leave in this fashion, but the policy should be set forth so that the administration will be prepared when the question comes up. If anticipated leave is allowed, the rules should provide that deductions can be made from the employee's final pay check if he leaves the service before he has earned the leave.

Upon the death of an employee, the city would normally pay to his heirs any unpaid salary the employee had earned, and any death benefits which the city may provide. In addition, the city may wish to reimburse the employee's heirs for any vacation which may have been accumulated. Again this is a policy question which must be decided by each city.

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Should accumulated sick leave be granted to employees who are reinstated after extended leaves of absence without pay? Some cities provide that an employee who is reinstated after leave of absence without pay or after lay-off shall have his prior sick leave credit restored to him. Some cities further provide that an employee on leave of absence without pay shall earn sick leave during that leave.

Another question concerns holidays for policemen and firemen who must work on many regular city holidays. Practice among cities varies with regard to this question. Among 58 cities recently replying to an ICMA survey, 23 grant compensatory time off to both policemen and firemen for holiday work, four cities grant extra pay to both groups, three cities allow both groups extra vacation, seven cities have various pay practices, and 21 cities make no provision for either pay or time off for employees who work on general holidays (see May, 1950, Public Management, p. 115).

Note: Several MIS reports have been issued that will be helpful to city officials in developing a leave of absence program. MIS Report No. 23 (August, 1946) describes employee service folders and record cards that can be used for recording attendance and leave. MIS Report No. 39 (June, 1947) has a detailed discussion of sick leave administration and suggested sick leave regulations. MIS Report No. 40 (July, 1947) describes the method of establishing a municipal merit system and contains a suggested merit system ordinance. MIS Report No. 41 (August, 1947) contains suggested personnel regulations including sections on attendance and leaves of absence. These reports are available for loan to MIS subscribers as well as instruction sheets and leave of absence forms used in Dayton, Ohio.